

REMARKS

The Examiner appears to have indicated that he has considered all of the references cited in the Information Disclosure Statement. However, the Examiner has initialed the old 1449, on which he previously crossed out all of the references. Thus, a new 1449 Form is being submitted for the Examiner to initial so that the record clearly indicates the Examiner's intent.

Claims 1 - 12 have been rejected under 35 U.S.C. 103(a) as being unpatentable over AOYAMA in view of WHITING. Applicants respectfully traverse.

Independent claims 1, 4, 7, and 10 define the saved information in the memory card as different types of information. Only one type of information (i.e., the acquired information) is compared with information stored in memory (e.g., RAM).

The Examiner asserts that there is no critical difference in the claimed data types. The Examiner then overlooks the difference in data types in order to ignore the claim limitations that compare only certain types of data. Although WHITING's game state data could arguably include some of the information, it is submitted that translation dictionary data is not game state data. Moreover, the examiner's argument that "comparing only certain types of data ... is comparing all game state data." is a non sequitur. Thus, it is respectfully requested that the Examiner withdraw the rejections of the independent claims.

Even if WHITING's game state data encompasses all three types of claimed data (i.e., acquired information, interrupted-game data, and character data), which applicants believe is not the case, there is no support for the argument that the data types are not critically different. Consequently, the examiner is ignoring claim limitations without any justifiable reason. The claimed invention compares only pieces of acquired information. It would not be possible to compare only one type of data if all types were the same. Thus, the difference between the types of data is critical, contrary to the Examiner's opinion. For the sole reason that the data are different types, the claimed invention can compare only data having the same type.

The Examiner further states that he does not see any distinguishing features of acquired information, interrupted-game data, and character data. Throughout the specification, e.g., page 14, the difference between the types of data is explained. It is requested that the Examiner refer to the specification to more fully understand the differences. As is well settled in U.S. patent law, the claims should be read in light of the specification.

Even if the different types of claimed information are all encompassed by WHITING's game state data, WHITING does not compare only a portion of the data (i.e., only a specific type of data) stored in the memory card. WHITING suffers from the same problem as the prior art described on page 2 of the specification. The conventional

system of WHITING uses the memory card in a uniform and therefore ineffective manner. Thus, the benefit of the claimed invention is not achieved by WHITING's system. Some of the benefits are described on pages 19 and 20 of the specification.

The features of the independent claims provide a player with access to all acquired information stored on the memory card. For example, in a memory card storing several different saved games, the player may load one of the saved games from a specific memory slot. The loaded game has three pieces of acquired information. In the other memory slots (i.e., in the other saved games) two other different pieces of information are stored (perhaps from when previously playing the game as a different character).

Because each piece of acquired information from the entire memory card (and not just the pieces associated with the currently loaded game) is analyzed, the player has access to all five pieces of acquired information without having to again perform the previously completed tasks that obtained the two other pieces of information. Thus, the two other pieces of data are available without actually playing the currently loaded game, making the game more fun by eliminating the requirement that the player replay every scene. In other words, the player does not have to redo certain previously completed tasks, even when playing a new game.

As noted above, the applied art does not compare *only* certain types of stored information (i.e., acquired information, and not interrupted-game data or character data),

as claimed. By comparing only a selected type of data, all of the data stored on the memory card is not copied into the internal memory. In contrast, WHITING checks *every* file to determine whether a backup of the file already exists. Then a complete backup is made, i.e., every file is stored on both the disk volume and the backup storage device, although duplicate files are not again copied. AOYAMA does not supply the deficiencies of WHITING.

The claims as amended define different types of information written to the memory card. For example, claim 1 recites acquired information, interrupted-game data, and character data. Neither of the applied references teach the claimed different types of data. Classifying the stored data is significant, enabling only selected types of data to be compared.

Consequently, for all of these reasons, it is submitted that the independent claims are allowable over the applied references.

Dependent claims 2, 3, 5, 6, 8, 9, 11, and are also believed to recite further patentable subject matter of the invention and therefore are also believed allowable over the prior art. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims, in addition to reasons related to their own recitations. Accordingly, applicants respectfully request reconsideration of the

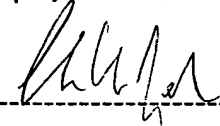
P21336.A06

outstanding rejections and an indication of the allowability of all of the claims in the present application.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Motumu TORIYAMA et al.

Reg. No. 40,067



Bruce H. Bernstein
Reg. No. 29,027

September 20, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191